

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GWENDOLYN DASHNER and)
JOHN HIRKO, SR., as) Civil Action
Co-Administrators of the Estate) No. 99-CV-02124
of John Hirko, Jr., Deceased,)
KRISTIN FODI and)
TUAN HOANG,)
Plaintiffs)
vs.)
JOSEPH EDWARD RIEDY, Individually))
and in his Official Capacity)
as a Member of the Bethlehem)
Police Department, et al.)
Defendants)
vs.)
DEFENSE TECHNOLOGY)
CORPORATION OF AMERICA and)
ARMOR HOLDINGS, INC.,)
Defendants on)
the Cross-Claim)

O R D E R

NOW, this 18th day of September, 2003, upon consideration of Police Defendants' Motion in Limine to Preclude Evidence Concerning Prior Arrest and Past Drug Use of Todd Repsher filed August 18, 2003; upon consideration of plaintiffs' answer to the motion filed September 3, 2003; upon consideration of the briefs of the parties; after oral argument held this date; and for the reasons articulated simultaneously on the record,

IT IS ORDERED that defendants' motion in limine is granted in part and deferred in part.

IT IS FURTHER ORDERED that plaintiffs are precluded from offering any evidence in their case-in-chief at the trial of this case concerning the alleged prior arrest of defendant Todd Repsher for possession of a small amount of marijuana in New

Jersey in 1989 and the alleged prior drug use by Todd Repsher of a small amount of marijuana and cocaine prior to becoming a police officer.

IT IS FURTHER ORDERED that the question of introduction of evidence concerning the prior arrest and prior drug use of Todd Repsher in rebuttal or for impeachment purposes is deferred until the time of trial.

IT IS FURTHER ORDERED that on or before September 23, 2003 defendants shall provide counsel for plaintiffs with all documentation currently in the possession or control of defense counsel concerning the prior arrest record of defendant Todd Repsher, including, but not limited to, all portions of Todd Repsher's personnel record dealing with his arrest record which may have been previously redacted by defendants prior to producing the personnel record of Mr. Repsher to plaintiffs in discovery.

BY THE COURT:

James Knoll Gardner
United States District Judge